



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

PIEDMONT REGIONAL OFFICE

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Douglas W. Domenech
Secretary of Natural Resources

David K. Paylor
Director

Michael P. Murphy
Regional Director

STATIONARY SOURCE PERMIT TO OPERATE

**This permit includes designated equipment subject to
New Source Performance Standards (NSPS).**

This permit supersedes your permit dated July 14, 2009.

In compliance with the Federal Clean Air Act and the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution,

Kinder Morgan Southeast Terminals, LLC
4110 Deepwater Terminal Road
Richmond, Virginia 23234
Registration No.: 50533

is authorized to operate

a petroleum products storage and distribution terminal

located at

4110 Deepwater Terminal Road
Richmond, Virginia 23234

in accordance with the Conditions of this permit.

Issued on DRAFT XX, 2013.

James E. Kyle, P.E.
Air Permit Manager

Permit consists of 13 pages.
Permit Conditions 1 to 41.

INTRODUCTION

This permit approval is based on the permit application dated September 30, 1995, including amendment information dated December 8, 1995; February 1, 1996; June 3, 1996; June 7, 1996; June 17, 1996; September 16, 1996; October 1, 1996; March 3, 1997; December 15, 1998; October 26, 2000; December 6, 2000; January 26, 2001; February 14, 2001; December 26, 2001; September 11, 2002; March 25, 2004; September 21, 2005; November 14, 2005; November 17, 2005; December 22, 2005; January 31, 2006; February 13, 2006; February 15, 2006, February 17, 2006, November 28, 2006, January 17, 2007, June 5, 2007, July 19, 2007, August 21, 2007, August 28, 2007, September 14, 2007, July 29, 2008, March 11, 2009, May 6, 2009, September 25, 2012, and December 10, 2012. Any changes in the permit application specifications or any existing facilities which alter the impact of the facility on air quality may require a permit. Failure to obtain such a permit prior to construction may result in enforcement action.

Words or terms used in this permit shall have meanings as provided in 9 VAC 5-10-10 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution. The regulatory reference or authority for each condition is listed in parentheses () after each condition.

Annual requirements to fulfill legal obligations to maintain current stationary source emissions data will necessitate a prompt response by the permittee to requests by the DEQ or the Board for information to include, as appropriate: process and production data; changes in control equipment; and operating schedules. Such requests for information from the DEQ will either be in writing or by personal contact.

The availability of information submitted to the DEQ or the Board will be governed by applicable provisions of the Freedom of Information Act, §§ 2.2-3700 through 2.2-3714 of the Code of Virginia, § 10.1-1314 (addressing information provided to the Board) of the Code of Virginia, and 9 VAC 5-170-60 of the State Air Pollution Control Board Regulations. Information provided to federal officials is subject to appropriate federal law and regulations governing confidentiality of such information.

PROCESS REQUIREMENTS

1. **Equipment List** - Equipment at this facility consists of the following:

Equipment to be Modified			
Reference No.	Equipment Description	Rated Capacity	Federal Requirements
Tanks:			
T-16	Internal floating roof tank (fuel oil)	2,400,000 gal	None

Equipment permitted prior to the date of this permit			
Reference No.	Equipment Description	Rated Capacity	Federal Requirements
Truck Loading:			
LR-1	Loading Rack	141,000 gal/hr	None
LR-2	Loading Rack	463,000 gal/hr	NSPS, Subpart XX
Fuel Burning Equipment:			
B-1	Cleaver Brooks boiler #CB400-350	15 MMBtu/hr	None
B-2	Cleaver Brooks boiler CD(LE)	10 MMBtu/hr	NSPS, Subpart Dc
D-1	Diesel Engine	63 hp	None

Tanks:			
A-1	Vertical fixed roof tank (Jet A additive or diesel additive)	2,000 gal	None
A-2	Vertical fixed roof tank (jet A additive)	2,000 gal	None
A-3	Vertical fixed roof tank (fuel oil)	10,000 gal	None
F-1	Tank (fuel oil)	185 gallon	None
T-01	Vertical fixed roof tank (asphalt cutback, fuel oil, kerosene and asphalt cement)	510,000 gal	None
T-02	Vertical fixed roof tank (asphalt)	494,000 gal	None
T-03	Vertical fixed roof tank (fuel oil)	508,000 gal	None
T-3A	Vertical tank (asphalt product additive)	1,000 gal	None
T-04	Vertical fixed roof tank (fuel oil)	2,100,000 gal	None
T-4A	Vertical tank (asphalt additive)	500 gal	None
T-05	Internal floating roof tank (gasoline (including interface, Non-HAP VOCs and denatured ethanol), transmix and distillates)	1,200,000 gal	None
T-06	Internal floating roof tank (gasoline (including interface, Non-HAP VOCs and denatured ethanol) or transmix)	1,050,000 gal	None
T-07	Vertical fixed roof tank (fuel oil)	2,800,000 gal	None
T-7a	Vertical fixed roof tank (latex)	21,000 gal	None
T-08	Internal floating roof tank (gasoline (including interface, Non-HAP VOCs and denatured ethanol) or transmix)	2,800,000 gal	NSPS, Subpart Kb
T-8a	Vertical fixed roof tank (asphalt)	320,000 gal	None
T-09	Vertical fixed roof tank (asphalt)	500,000 gal	None
T-10	Vertical fixed roof tank (asphalt)	508,000 gal	None
T-11	Vertical fixed roof tank (asphalt)	508,000 gal	None
T-12	Vertical fixed roof tank (asphalt cutback, fuel oil, kerosene and asphalt cement)	508,000 gal	None
T-13	Vertical fixed roof tank (asphalt)	430,000 gal	None
T-15	Vertical fixed roof tank (asphalt cutback, fuel oil, kerosene and asphalt cement)	2,281,000 gal	None
T-17	Internal floating roof tank (gasoline (including interface, Non-HAP VOCs and denatured ethanol) and distillates)	1,800,000 gal	None
T-17A	Internal floating roof tank (currently not in use)	8,000 gal	None
T-18	Vertical fixed roof tank (fuel oil)	3,400,000 gal	None
T-18A	Horizontal fixed roof tank (asphalt additive)	10,000 gal	None
T-19	Vertical fixed roof tank (jet naptha (JP-4))	30,500 gal	None
T-19A	Horizontal fixed roof tank (currently not in service)	10,000 gal	None
T-20	Vertical fixed roof tank (gas additive)	11,000 gal	None
T-21	Horizontal fixed roof tank (asphalt cutback)	20,000 gal	None
T-23	Horizontal fixed roof tank (asphalt emulsifier)	20,000 gal	None
T-24	Vertical fixed roof tank (asphalt emulsifier)	15,000 gal	None
T-25	Horizontal tank (kerosene additive)	294 gal	None
T-26	Horizontal tank (diesel additive)	546 gal	None
T-50	Vertical fixed roof tank (asphalt emulsion)	30,000 gal	None
T-51	Vertical fixed roof tank (asphalt emulsion)	30,000 gal	None
T-52	Vertical fixed roof tank (asphalt emulsion)	30,000 gal	None
T-53	Vertical fixed roof tank (asphalt emulsion)	30,000 gal	None
T-54	Vertical fixed roof tank (asphalt emulsion)	30,000 gal	None

T-55	Vertical fixed roof tank (asphalt emulsion)	30,000 gal	None
T-56	Vertical fixed roof tank (asphalt)	30,000 gal	None
T-57	Vertical fixed roof tank (asphalt)	30,000 gal	None
T-58	Vertical fixed roof tank (asphalt emulsion)	30,000 gal	None
T-59	Vertical fixed roof tank (asphalt emulsion)	30,000 gal	None
Barge Loading:			
BL-1	Barge loading, transferring asphalt and fuel oil	168,000 gal/hr	None
Fugitives:			
FUG1	Fugitives from light and heavy liquids (valves, flanges, pump seals, process drains)	--	None
FUG2	Fugitives from gas/vapor (valves, flanges, pressure relief valves, compressor seals, process drains)	--	None
OWS1	Oil/water separator	--	None

(9 VAC 80-1180 D 3, 9 VAC 5-80-800, and 9 VAC 5-80-850)

2. **Emission Unit Reactivation** - Reactivation of T-17A, T-19A, or T-60 may require a permit to construct and operate.
 (9 VAC 5-80-1320 A)
3. **Emission Controls** - Emissions from the Cleaver Brooks boiler #CB400-350 and Cleaver Brooks boiler CD(LE) (Ref. Nos. B-1 and B-2) shall be controlled by proper operation and maintenance of combustion equipment. The permittee shall develop, maintain, and have available to all operators good written operating procedures and a maintenance schedule for each Cleaver Brooks boiler. These procedures shall be based on the manufacturer's recommendations, at a minimum. A maintenance schedule for all such equipment shall be established and made available to the Director, Piedmont Region for review.
 (9 VAC 5-80-1180 and 9 VAC 5-80-850)
4. **Emission Controls** – Volatile organic compound emissions from the loading of gasoline and denatured alcohol associated with loading rack (Ref. No. LR-2) shall be controlled by a vapor recovery system. The volatile organic compound emissions to the atmosphere from the vapor recovery system stack due to loading shall not exceed 0.2921 lbs/1000 gal of product loaded (35 mg/liter loaded). The vapor recovery system shall be provided with adequate access for inspection and shall be in operation when the loading rack is loading gasoline and denatured alcohol. The permittee shall notify DEQ within four hours of any malfunction of control equipment as specified elsewhere in this permit.
 (9 VAC 5-50-260, 9 VAC 5-50-410, and 9 VAC 5-80-850)
5. **Monitoring**– Each calendar month, the permittee shall perform an inspection of the vapor collection system, the vapor processing system, and each loading rack handling gasoline during the loading of gasoline tank trucks for total organic compounds liquids or vapor leaks as per 40 CFR 60.502(j).
 (9 VAC 5-50-410 and 9 VAC 5-80-850)

OPERATING LIMITATIONS

6. **Operating Hours** - The engine (Ref. No. D-1) shall not operate more than 500 hours per year, calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
 (9 VAC 5-80-1180 and 9 VAC 5-80-850)

7. **Operational Limitation** - The permittee is authorized to transfer asphalt cement, cutback asphalt, asphalt emulsions, gasoline, denatured ethanol, and petroleum distillates at loading racks LR-1 and LR-2. A change in the products loaded may require a permit to modify and operate.
(9 VAC 5-80-850)
8. **Operational Limitation** - Loading lane 4 which associates with loading rack LR-2 shall remain out of service. Use of this lane shall require a permit amendment.
(9 VAC 5-80-850)
9. **Operational Limitation** - The barge loading (Ref. No. BL-1) shall remain out of service. Use of this equipment shall require a permit amendment.
(9 VAC 5-80-850)
10. **Operational Limitation** - The permittee is authorized to transfer gasoline at the loading rack only into vapor-tight gasoline tank trucks, as defined by 40 CFR 60.501.
(9 VAC 5-50-410 and 9 VAC 5-80-850)
11. **Boiler Operational Limitation** - If the Cleaver Brooks boiler #CB400-350 and Cleaver Brooks boiler CD(LE) (Ref. Nos. B-1 and B-2) are operated at the same time, the permittee shall ensure that at least one of the boilers is fueled by natural gas.
(9 VAC 5-80-1180 and 9 VAC 5-80-850)
12. **Throughput** - The throughput of petroleum products through loading racks LR-1 and LR-2 shall not exceed the following limitations. Annual limitations shall be calculated monthly as the sum of each consecutive 12 month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.

<u>LR-1</u>	<u>Gallons/yr</u>
Asphalt cement	35,000,000
Cutback asphalt	8,000,000
Asphalt Emulsions	20,000,000
 <u>LR-2</u>	
Gasoline/Transmix	227,200,000
Denatured Alcohol	9,600,000
Kerosene	16,000,000
#2 fuel oil/diesel fuel	186,620,000

(9 VAC 5-80-850)

13. **Throughput** - The throughput of petroleum products for each group of storage tanks shall not exceed the following limitations. Annual limitations shall be calculated monthly as the sum of each consecutive 12 month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months. The VOC emission limits for each group are a sum of the past emission limits for each tank not modified in this permit action and the tanks being modified in this permit action.

Tank ID's	Product Stored	Annual Gallons Limit	Annual VOC Emission Limit
A-1, A-2, A-3, T-01, T-03, T-04, T-07, T-15, T-16, T-18, T-19	Distillate	461,746,000	16.0 TPY
T-05,T-06, T-08, T-17	Gasoline and petroleum products or non-HAP VOC less volatile than gasoline	384,000,000	12.7 TPY
T-02, T-03A, T-04A, T-05, T-08A, T-09, T-10, T-11, T-12, T-13, T-18A, T-21, T-23, T-24, T-50, T-51, T-52, T-53, T-54, T-55, T-56, T-57, T-58, T-59, T-61	Asphalt Products	165,920,000	9.5 TPY

The emission limits are derived from the estimated overall emission contribution from the group throughput operating limits. Exceedance of the throughput operating limits may be considered credible evidence of the exceedance of emission limits.

(9 VAC 5-80-1180 and 9 VAC 5-80-850)

14. **Throughput** - The throughput of petroleum products through the oil and water separator (Ref. No. OWS1) shall not exceed 30,000,000 gallons per year, calculated monthly as the sum of each consecutive 12 month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
 (9 VAC 5-80-850)

15. **Fuel** - The approved fuels for the Cleaver Brooks boiler #CB400-350 and Cleaver Brooks boiler CD(LE) (Ref. Nos. B-1 and B-2) are natural gas and distillate oil. A change in the fuel may require a permit to modify and operate.
 (9 VAC 5-80-1180 and 9 VAC 5-80-850)

16. **Fuel Throughput** - The Cleaver Brooks boiler #CB400-350 and Cleaver Brooks boiler CD(LE) (Ref. Nos. B-1 and B-2) shall consume no more than 131.0 MMcf/yr of natural gas or 936,000 gallons of distillate fuel oil per year, calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months. If a combination of the two fuels is used, then the quantities of natural gas and distillate oil shall not exceed values that will allow the following equation to hold true:

$$(X) * (1000 \text{ Btu/ft}^3) + (Y) * (140,000 \text{ Btu/gal}) \leq 1.31 \times 10^{11} \text{ Btu/yr}$$

where X = Number of cubic feet of natural gas burned in a year
 Y = Number of gallons of distillate fuel oil burned in a year

(9 VAC 5-80-1180 and 9 VAC 5-80-850)

17. **Fuel** - The distillate oil and natural gas shall meet the specifications below:

DISTILLATE OIL which meets the ASTM D396 specification for numbers 1 or 2 fuel oil:
Maximum sulfur content per shipment: **0.5%**

NATURAL GAS:
Minimum heat content: **1,000 Btu/cf HHV**
as determined by ASTM D1826, D2382, or a DEQ-approved equivalent method.

(9 VAC 5-80-1180 and 9 VAC 5-80-850)

18. **Fuel Certification** - The permittee shall obtain a certification from the fuel supplier with each shipment of distillate oil. Each fuel supplier certification shall include the following:
- The name of the fuel supplier;
 - The date on which the distillate oil was received;
 - The quantity of distillate oil delivered in the shipment;
 - A statement that the distillate oil complies with the American Society for Testing and Materials specifications (ASTM D396) for numbers 1 or 2 fuel oil;
 - The sulfur content of the distillate oil.

Fuel sampling and analysis, independent of that used for certification, as may be periodically required or conducted by DEQ may be used to determine compliance with the fuel specifications stipulated in Condition 16. Exceedance of these specifications may be considered credible evidence of the exceedance of emission limits.

(9 VAC 5-80-1180 and 9 VAC 5-80-850)

19. **Requirements by Reference** - Except where this permit is more restrictive than the applicable requirement, the NSPS equipment as described in Condition 1 shall be operated in compliance with the requirements of 40 CFR 60, Subparts Dc, Kb, and XX.
(9 VAC 5-80-1180, 9 VAC 5-50-400, and 9 VAC 5-50-410)

EMISSION LIMITS

20. **Process Emission Limits** - Emissions from the operation of the Cleaver Brooks boiler #CB400-350 and Cleaver Brooks boiler CD(LE) (Ref. Nos. B-1 and B-2) shall not exceed the limits specified below:

Particulate Matter	0.3 lbs/hr	1.3 tons/yr
PM-10	0.2 lbs/hr	0.9 tons/yr
Sulfur Dioxide	7.6 lbs/hr	33.4 tons/yr
Nitrogen Oxides (as NO ₂)	3.1 lbs/hr	13.8 tons/yr
Carbon Monoxide	1.6 lbs/hr	7.1 tons/yr
Volatile Organic Compounds	0.1 lbs/hr	0.5 tons/yr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits may be considered credible evidence of the exceedance of

emission limits. Compliance with these emission limits may be determined as stated in Conditions 3, 11, 15, 16, and 17.
 (9 VAC 5-80-1180 and 9 VAC 5-80-850)

21. **Process Emission Limits** – Volatile organic compound emissions from loading rack LR-1 shall not exceed the limits specified below:

Asphalt Cement	0.2 lbs/hr	0.8 tons/yr
Cutback Asphalt	0.6 lbs/hr	2.4 tons/yr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits may be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Conditions 7 and 12.
 (9 VAC 5-80-850)

22. **Process Emission Limits** – Volatile organic compound emissions from loading rack LR-2 shall not exceed the limits specified below:

Gasoline	7.6 lbs/hr	33.2 tons/yr
Diesel Fuel	0.4 lbs/hr	1.7 tons/yr
Denatured alcohol	0.3 lbs/hr	1.4 tons/yr
	0.2921 lbs/1000 gal (35 mg/liter)	

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits may be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Conditions 4, 7, and 12.
 (9 VAC 5-80-850)

23. **Process Emission Limits** – Fugitive emissions from the operation of the truck loading racks LR-1 and LR-2 shall not exceed the limits specified below:

Volatile Organic Compounds	2.9 lbs/hr	12.9 tons/yr
	0.109 lbs/1000 gal (13 mg/liter)	

(9 VAC 5-80-850)

24. **Process Emission Limits** – Emissions from the operation of the oil/water separator (OWS1) shall not exceed the limits specified below:

Volatile Organic Compounds	0.7 lbs/hr	3.0 tons/yr
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These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits may be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition 14.
 (9 VAC 5-80-850)

25. **Process Emission Limits** – Fugitive emissions from the operation of the terminal shall not exceed the limits specified below:

Paved Roads:

Particulate Matter	0.4 lbs/hr	1.7 tons/yr
PM-10	0.4 lbs/hr	1.7 tons/yr

Pipelines:

Volatile Organic Compounds		0.5 tons/yr
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(9 VAC 5-80-850)

26. **Facility wide Emission Limits** - Total emissions from the terminal shall not exceed the limits specified below:

Particulate Matter	0.8 lbs/hr	3.0 tons/yr
PM-10	0.7 lbs/hr	2.6 tons/yr
Sulfur Dioxide	7.7 lbs/hr	33.4 tons/yr
Nitrogen Oxides (as NO ₂)	5.1 lbs/hr	14.3 tons/yr
Carbon Monoxide	2.0 lbs/hr	7.2 tons/yr
Volatile Organic Compounds	677.9 lbs/hr	94.6 tons/yr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits may be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Conditions 3-19.

(9 VAC 5-80-1180 and 9 VAC 5-80-850)

27. **Emission Limits** - Hazardous air pollutant (HAP) emissions, as defined by §112(b) of the Clean Air Act, from the entire facility shall be less than 10.0 tons per year of any individual HAP and less than 25.0 tons per year of any combination, calculated monthly as the sum of each consecutive 12 month period.

(9 VAC 5-80-850)

28. **Visible Emission Limit** - Visible emissions from the Cleaver Brooks boiler #CB400-350 (Ref. No. B-1) shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 60 percent opacity as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.

(9 VAC 5-80-850)

29. **Visible Emission Limit** - Visible emissions from the Cleaver Brooks boiler CD(LE) (Ref. No. B-2) shall not exceed 10 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 20 percent opacity as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.

(9 VAC 5-80-1180, 9 VAC 5-50-260, and 9 VAC 5-80-850)

30. **Visible Emission Limit** - Visible emissions from the vapor recovery system shall not exceed 5 percent opacity as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A).

(9 VAC 5-80-850)

RECORDS

31. **On Site Records** - The permittee shall maintain records of emission data and operating parameters as necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Piedmont Region. These records shall include, but are not limited to:
- a. Annual hours of operation of the engine (Ref. No. D-1), calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
 - b. Annual consumption of natural gas and distillate oil for the boilers (Ref. Nos. B-1 and B-2), calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
 - c. Daily consumption of natural gas and #2 distillate oil for the NSPS, Subpart Dc boiler (Ref. No. B-2) as stated in 40 CFR 60.48c(g).
 - d. Annual throughput of all petroleum products at the truck loading racks and storage tanks, calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
 - e. Records of all volatile organic liquids stored in each tank, the period of storage, and the maximum true vapor pressure of each volatile organic liquid during the respective storage period.
 - f. Records of the annual certification testing as required by 40 CFR 60.505 for each gasoline cargo tank loaded at the facility, including, but not limited to, the date of the most recent annual certification test and the test results. These records may be kept at an alternate location so long as they can be supplied upon request to the Director, Piedmont Region within 10 business days.
 - g. All fuel supplier certifications.
 - h. Records of all oil shipments purchased indicating the supplier, volume of the shipment, and date on which the shipment was made, and all subsequent oil analyses.
 - i. Records of the HAP content of the volatile organic liquids stored at the facility.
 - j. Monthly inspection records pursuant to 40 CFR 60.502(j) in Condition 5.
 - k. A maintenance schedule for all process equipment and air pollution control equipment.
 - l. Scheduled and unscheduled maintenance for all process equipment and air pollution control equipment and operator training.
 - m. Inventory of spare parts to minimize the duration of air pollution control equipment breakdowns.
 - n. Written operating procedures for all process equipment and air pollution control equipment.
 - o. Stack test reports, tank reports, tank certification reports, and inspection reports.

These records shall be available for inspection by the DEQ and shall be current for the most recent five years.

(9 VAC 5-80-1180, 9 VAC 5-50-50, and 9 VAC 5-80-900)

32. **Emission Testing** - The facility shall be constructed/modified/installed so as to allow for emissions testing upon reasonable notice at any time, using appropriate methods. Sampling ports shall be provided when requested at the appropriate locations and safe sampling platforms and access shall be provided.

(9 VAC 5-80-880 and 9 VAC 5-80-850)

GENERAL CONDITIONS

33. **Right of Entry** - The permittee shall allow authorized local, state, and federal representatives, upon the presentation of credentials:

- a. To enter upon the permittee's premises on which the facility is located or in which any records are required to be kept under the terms and conditions of this permit;
- b. To have access to and copy at reasonable times any records required to be kept under the terms and conditions of this permit or the State Air Pollution Control Board Regulations;
- c. To inspect at reasonable times any facility, equipment, or process subject to the terms and conditions of this permit or the State Air Pollution Control Board Regulations; and
- d. To sample or test at reasonable times.

For purposes of this condition, the time for inspection shall be deemed reasonable during regular business hours or whenever the facility is in operation. Nothing contained herein shall make an inspection time unreasonable during an emergency.

(9 VAC 5-170-130 and 9 VAC 5-80-850)

34. **Notification for Facility or Control Equipment Malfunction** - The permittee shall furnish notification to the Director, Piedmont Region of malfunctions of the affected facility or related air pollution control equipment that may cause excess emissions for more than one hour, by facsimile transmission, telephone, or telegraph. Such notification shall be made as soon as practicable but no later than four daytime business hours after the malfunction is discovered. The permittee shall provide a written statement giving all pertinent facts, including the estimated duration of the breakdown, within two weeks of discovery of the malfunction. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the permittee shall notify the Director, Piedmont Region in writing.

(9 VAC 5-20-180 C and 9 VAC 5-80-850)

35. **Violation of Ambient Air Quality Standard** - The permittee shall, upon request of the DEQ, reduce the level of operation or shut down a facility, as necessary to avoid violating any primary ambient air quality standard and shall not return to normal operation until such time as the ambient air quality standard will not be violated.

(9 VAC 5-20-180 I and 9 VAC 5-80-850)

36. **Maintenance/Operating Procedures** - At all times, including periods of start-up, shutdown, and malfunction, the permittee shall, to the extent practicable, maintain and operate the affected source, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions.

The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to air pollution control equipment and process equipment which affect such emissions:

- a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.
- b. Maintain an inventory of spare parts.
- c. Have available written operating procedures for equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum.
- d. Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures, prior to their first operation of such equipment. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

Records of maintenance and training shall be maintained on site for a period of five years and shall be made available to DEQ personnel upon request.
(9 VAC 5-50-20 E and 9 VAC 5-80-850)

37. Permit Suspension/Revocation - This permit may be revoked if the permittee:

- a. Knowingly makes material misstatements in the permit application or any amendments to it;
- b. Fails to comply with the terms or conditions of this permit;
- c. Fails to comply with any emission standards applicable to a permitted emissions unit;
- d. Causes emissions from this facility which result in violations of, or interferes with the attainment and maintenance of, any ambient air quality standard;
- e. Fails to operate this facility in conformance with any applicable control strategy, including any emission standards or emission limitations, in the State Implementation Plan in effect at the time that an application for this permit is submitted;
- f. Fails to comply with the applicable provisions of Articles 6, 8 and 9 of 9 VAC 5 Chapter 80.
(9 VAC 5-80-1010)

38. Change of Ownership - In the case of a transfer of ownership of a stationary source, the new owner shall abide by any current permit issued to the previous owner. The new owner shall notify the Director, Piedmont Region of the change of ownership within 30 days of the transfer.
(9 VAC 5-80-940)

39. Permit Copy - The permittee shall keep a copy of this permit on the premises of the facility to which it applies.
(9 VAC 5-80-860 D)

STATE-ONLY ENFORCEABLE REQUIREMENTS

40. Requirements by Reference - Except where this permit is more restrictive than the applicable requirement, the following equipment shall meet all requirements listed in Article 37 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution: T-05, T-06, and T-17. The tanks shall be provided with adequate access for inspection.
(9 VAC 5-50-400 and 9 VAC 5 Chapter 40 Article 37)

41. **On Site Records** - The permittee shall maintain records of emission data and operating parameters as necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Piedmont Region. These records shall include, but are not limited to:

- a. Records demonstrating compliance with Article 37 of the State Regulations, including;
 - i. Listing of each exempt tank and reason for exemption.
 - ii. VOC standard to which each applicable tank is subject.
 - iii. Method under 9 VAC 5-40-5230 of State Regulations which is used to meet the applicable VOC standard or alternate control demonstration.

These records shall be available for inspection by the DEQ and shall be current for the most recent five years.

(9 VAC 5-50-50 and 9 VAC 5-80-900)

